

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1575 OF 2003

Sou. Asha Pramod Panse & Anr. ...Petitioners
V/s.
Shri Jayant Narhar Panse & Anr. ...Respondents

Mr.P.B. Shaligram & K.D. Kale for Petitioners.
Mr.S.A. Joshi with Mr.S.S. Hardikar for Respondent No.1.
Mr.K.V. Saste, A.P.P. for State.

CORAM : A.S. AGUIAR, J.
DATED : AUGUST 13, 2004.

P.C. :-

1. In this writ petition, petitioner seeks quashing of the Judgment and Order dated 7th July, 2003 passed by 7th Additional District Judge, Pune, in C.R.A.No.247/2003 dismissing the revision application of the petitioners from the order of the J.M.F.C. 4th Court, Pune, in C.C.No.1326/2001 for offence punishable under Sections 427, 447, 504 read with Section 34 IPC issuing process against all the accused. Earlier, all the accused had filed recall process application before the concerned trial Court who had issued process. The said application was rejected. Only accused no.1 went

in revision against the said order. The Sessions Court rejected the revision application. From the order of the Sessions Court, accused no.1 came in writ to the High Court which was also dismissed. Accused nos.2 and 3 were writ petitioners in the said writ petition. Writ petition, so far as, petitioner no.1 i.e. accused no.1 was dismissed by order dated 20th March, 2003 (Coram : V.K. Tahilramani, J.). By the said order, however, accused nos.2 and 3 were allowed to file revision before the Sessions Court against the said order of J.M.F.C. dismissing their recall application. Accordingly, accused nos.2 and 3 had filed revision application before the Sessions Court which also came to be dismissed by order dated 7th July, 2003. It is from this order that the petitioners i.e. accused nos.2 and 3 have approached this Court in its writ jurisdiction for quashing the said order.

2. Having perused the order of this Court and heard learned Advocate for the petitioners and respondents, it is clear that there is sufficient material in the complaint for issue of process against accused nos.2 and 3 also. Therefore, there is no reason to interfere with the order of the trial Court. In view thereof, petition to stand dismissed.

3. Learned trial Court in deciding the matter will not be influenced by any of the observations made hereinabove.

. Parties be supplied copy of this order duly authenticated by Sheristedar of this Court.

(A.S. AGUIAR, J.)